

AMENDED

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

INSTRUCTIONS:

DO NOT WRITE IN THIS SPACE	
Case	Date Filed
18-CA-304644	June 1, 2023

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer Green Bay Packaging, Inc. (Shipping Container Division)		b. Tel. No. (920)433-5230
		c. Cell No. (b) (6), (b) (7)(C)
d. Address (Street, city, state, and ZIP code) 25-70 Whitestone Expressway, Flushing, VA 11254	e. Employer Representative (b) (6), (b) (7)(C)	f. Fax No.
		g. e-mail (b) (6), (b) (7)(C)@gbp.com
		h. Number of Workers Employed
i. Type of Establishment (factory, mine, wholesaler, etc.) Factory	j. Identify Principal Product or Service Corrugated Packaging	

I. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1), (3), and (5) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

SEE ATTACHMENT

3. Full name of party filing charge (if labor organization, give full name, including local name and number)

United Steelworkers, Local 1319

4a. Address (Street and number, city, state, and ZIP code) 9053 County Road B, Oconto Falls, WI 54154	4b. Tel. No. (970)999-2347
	4c. Cell No.
	4d. Fax No.
	4e. e-mail

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)

6. DECLARATION

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.


(signature of representative of person making charge)

Mark A. Sweet, Attorney

(Print/type name and title or office, if any)

Date: 06-01-2023

Address: Sweet and Associates, LLC
2510 E. Capitol Dr.
Milwaukee, WI 53211

Tel. No.
(414) 332-2255

Office, if any, Cell No.
(414) 828-8196

Fax No.

e-mail
msweet@unionyeslaw.com

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 *et seq.* The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

ATTACHMENT
Charge Against Employer
Green Bay Packaging, Inc. (Shipping Container Division)

1. On or about (b) (6), (b) (7)(C) 2022, the above-referenced Employer coerced and restrained employees in the exercise of their Section 7 rights by refusing (b) (6), (b) (7)(C) request for union representation during an investigatory meeting that may lead to discipline.
2. On or about (b) (6), (b) (7)(C) 2022, the above-referenced Employer informed (b) (6), (b) (7)(C) that (b) (6), (b) (7)(C) was not entitled to a union representative of (b) (6), (b) (7)(C) choice, despite that (b) (6), (b) (7)(C) chosen representative was available.
3. On or about (b) (6), (b) (7)(C) 2022, the above-referenced Employer suspended (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) because of (b) (6), (b) (7)(C) Union affiliation and activities on behalf of the Union.
4. On (b) (6), (b) (7)(C) 2022, the above-referenced Employer announced increased discipline from a suspension to termination of (b) (6), (b) (7)(C) due to (b) (6), (b) (7)(C) union affiliation (including (b) (6), (b) (7)(C) position, (b) (6), (b) (7)(C)) and activities on behalf of the Union.
5. Since on or about (b) (6), (b) (7)(C) 2022, and continuing to date, the above-referenced Employer failed and refused to provide necessary information relevant to the Union's processing of the grievance related to (b) (6), (b) (7)(C) termination.

By the above and other acts, the above-referenced Employer has interfered with, restrained, or coerced employees in the exercise of the rights guaranteed in Section 7 of the Act.



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

SUBREGION 30
310 West Wisconsin Avenue, Suite 450W
Milwaukee, WI 53203-2246

Agency Website: www.nlrb.gov
Telephone: (414)297-3861
Fax: (414)297-3880



Download
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Mobile App

June 5, 2023

(b) (6), (b) (7)(C)

Green Bay Packaging, Inc. (Shipping Container Division)
25-70 Whitestone Expressway
Flushing, VA 11254

Re: Green Bay Packaging, Inc.
(Shipping Container Division)
Case 18-CA-304644

Dear (b) (6), (b) (7)(C):

Enclosed is a copy of the first amended charge that has been filed in this case.

Investigator: This charge is being investigated by Field Examiner CLINTON M. NEWMAN whose telephone number is (414)930-7206. If the agent is not available, you may contact Assistant to the Regional Director ERIC BOERSCHINGER whose telephone number is (414)930-7192.

Presentation of Your Evidence: As you know, we seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations in the first amended charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

Prohibition on Recording Affidavit Interviews: It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

Procedures: Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the

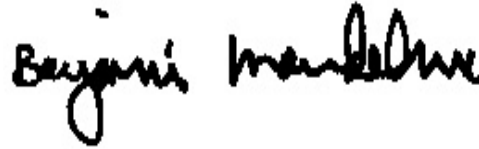
June 5, 2023

Agency's web site (www.nlr.gov). You must e-file all documents electronically or provide a written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Very truly yours,

JENNIFER A. HADSALL
Regional Director

A handwritten signature in black ink, appearing to read "Benjamin Mandelman".

By:

BENJAMIN MANDELMAN
Officer in Charge

Enclosure: Copy of first amended charge

cc: Ann Hanneman
von Briesen & Roper, SC
20975 Swenson Drive, Suite 400
Waukesha, WI 53186

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

**GREEN BAY PACKAGING, INC. (SHIPPING
CONTAINER DIVISION)**

Charged Party

and

UNITED STEELWORKERS, LOCAL 1319

Charging Party

Case 18-CA-304644

AFFIDAVIT OF SERVICE OF FIRST AMENDED CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, being duly sworn, say that on June 5, 2023, I served the above-entitled document(s) by regular mail upon the following persons, addressed to them at the following addresses:

(b) (6), (b) (7)(C)

Green Bay Packaging, Inc. (Shipping
Container Division)
25-70 Whitestone Expressway
Flushing, VA 11254

Ann Hanneman
von Briesen & Roper, SC
20975 Swenson Drive, Suite 400
Waukesha, WI 53186

June 5, 2023

Date

Carrie J. Klusman, Designated Agent of
NLRB

Name

/s/ Carrie J. Klusman

Signature



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

SUBREGION 30
310 West Wisconsin Avenue, Suite 450W
Milwaukee, WI 53203-2246

Agency Website: www.nlrb.gov
Telephone: (414)297-3861
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June 5, 2023

United Steelworkers, Local 1319
9053 County Road B
Oconto Falls, WI 54154

Re: Green Bay Packaging, Inc. (Shipping
Container Division)
Case 18-CA-304644

Dear Sir or Madam:

We have docketed the first amended charge that you filed in this case.

Investigator: This charge is being investigated by Field Examiner Clinton M. Newman whose telephone number is (414)930-7206. If the agent is not available, you may contact Assistant to the Regional Director ERIC BOERSCHINGER whose telephone number is (414)930-7192.

Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. If you have additional evidence regarding the allegations in the first amended charge and you have not yet scheduled a date and time for the Board agent to obtain that evidence, please contact the Board agent to arrange to present that evidence. If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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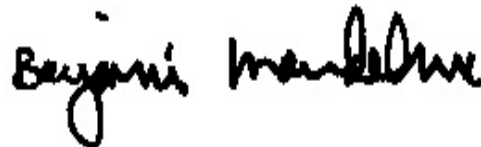
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Agency's web site (www.nlr.gov). You must e-file all documents electronically or provide a written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

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Very truly yours,

JENNIFER A. HADSALL
Regional Director

A handwritten signature in black ink, appearing to read "Benjamin Mandelman". The signature is written in a cursive, flowing style.

By:

BENJAMIN MANDELMAN
Officer in Charge

cc: Mark A. Sweet, Attorney
Sweet and Associates, LLC
2510 East Capitol Drive
Milwaukee, WI 53211-2136